

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

JAMES TERRY STINSON,

Petitioner,

vs.

THOMAS AMMONS, Warden

Respondent.

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1:05-cv-69(WLS)

ORDER

Petitioner JAMES TERRY STINSON, has filed the above-captioned § 2254 proceeding in this court challenging his 2001 conviction in the Superior Court of Gwinnett County, Georgia. Gwinnett County is located in the Northern District of Georgia. While 28 U.S.C. § 2241(d) permits a state prisoner's habeas petition to be filed in the district within which the prisoner was convicted or in the district within which the prisoner is confined and further permits discretionary transfer by the court from one such district to the other, it is the long-standing policy and practice of the United States District Courts for the Middle, Northern and Southern Districts of Georgia to cause all such petitions to be filed in or transferred to the district within which the state prisoner was convicted. Adherence to this practice and policy results in each district court considering habeas matters coming only from state courts within its jurisdiction and in an equitable distribution of habeas cases between the districts of this state.

Consistent with this policy and practice, the subject state prisoner habeas corpus

petition is hereby **TRANSFERRED** to the Northern District of Georgia along with all orders, motions, affidavits, pleadings and exhibits (if any) filed herein for further proceedings under § 2254.

SO ORDERED, this 10th day of June 2005.

/s/ Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE